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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/895,866	06/29/2001	Sankar Sambasiyan	5991	5367	
22/2-	7590 04/14/2003			<del>-</del>	
REINHART BOERNER VAN DEUREN S.C. ATTN: LINDA GABRIEL, DOCKET COORDINATOR 1000 NORTH WATER STREET			EXAM	EXAMINER	
			COOKE, COLLEEN P		
SUITE 2100 MILWAUKEI	F WI 53202		ART UNIT	PAPER NUMBER	
MILWAUKE	3, 11 33202		1725	6	
			DATE MAILED: 04/14/2003	1	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary    College   P.Cooke   Art Unit   College   P.Cooke   Tooke	·	Application No.	Applicant(s)				
Colleen P Cooke   1725	•	09/895,866					
The MAILING DATE of this communication appears on the cover sheet with the correspondence address − Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE £ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Estensions of time may be available under the provisions of 3 C.R. 1.13(a). In no event, however, may a risry be timely filed after \$3.0 (a) MONTHS from the militage date of the correction of 3 C.R. 1.13(a). In no event, however, may a risry be timely filed after \$3.0 (a) MONTHS from the militage date of the correction o	Office Action Summary	Examiner	Art Unit				
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be limitly filed  Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be limitly filed  Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be limitly filed  Extension of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be limitly filed  If No pand for reply is appeciate above, he meanum statutory parties will apply and visit expire visit (a) days will be considered firmly.  If No pand for reply is appeciate above, he meanum statutory parties will apply and visit expire visit (a) days will be considered firmly.  If No pand for reply is appeciate above, he meanum statutory parties will apply and visit expire visit (a) days will be considered firmly.  If No pand for reply is appeciated above, he meanum statutory parties will apply and visit expire visit (a) days will be considered firmly.  Application is FINAL.  2b) This action is in on-final.  3c) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Queryle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) is/are allowed.  6) Claim(s) is/are rejected.  7) Claim(s) is/are allowed.  6) Claim(s) is/are objected to.  8) Claim(s) is/are rejected to.  8) Claim(s) is/are rejected to.  9) The proposed drawing is objected to by the Examiner.  Application Papers  9) The specification is objected to by the Examiner.  Application Papers  10) The drawing(s) filed on is/are objected to by the Examiner.  If approved, corrected drawings are required in reply to this office action.  12) The proposed drawing correct							
THE MAILING DATE OF THIS COMMUNICATION.  Extensions of item rapy be windle under the proteins of 3 CPR 1 135(a), in no event, however, may a riply be limely lifed after SIX (8) MONTISS from the mailing date of the communication.  It No pend for reply is specified above, the maximum studency pelled will pay and will explic at No. (9) MONTISS from the mailing date of this communication.  Fallure to reply within the set of extended pender for reply will, by studies, cause the application to become AAPHOONED (35 U.S. 5 133).  Any reply received by the Official in this hitem herosition after the mailing date of this communication, even if timely fleed, may reduce any secured place term separation to the communication. Even if timely fleed, may reduce any secured place term separation to communication (s) filled on 30 September 2002.  2a) This action is FINAL.  2b) This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1-37 is/are pending in the application.  4a) Of the above claim(s) is/are ellowed.  6) Claim(s) is/are allowed.  6) Claim(s) is/are allowed.  6) Claim(s) is/are allowed.  7) Claim(s) is/are solyected to.  8) Claim(s) 1-37 are subject to restriction and/or election requirement.  Application Papers  9) The specification is objected to by the Examiner.  10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  11) The proposed drawings correction filed on is/are: a) approved b) disapproved by the Examiner.  If approved, corrected drawings are required in reply to this office action.  12) The eath or declaration is objected to by the Examiner.  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  3) Acknowledgment is made of							
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	2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) Notice of Informal					

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## Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-24, drawn to a product, classified in class 428, subclass 469.
- II. Claims 25-38, drawn to a process, classified in class 427, subclass 62.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the product as claimed can be made by a process other than deposition of a coating onto a substrate, such as lamination of the substrate and nitride material.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

A telephone call was made to Rod DeKruif on 3/6/03 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the

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application. Any amendment of inventorship must be accompanied by a request under 37 CFR

1.48(b) and by the fee required under 37 CFR 1.17(i).

## Conclusion

Any inquiry concerning this or earlier communications from the examiner should be directed to Colleen Cooke, whose telephone number is 703-305-1136. She can normally be reached Monday-Thursday from 7:15-5:45pm.

If attempts to reach the examiner by telephone are unsuccessful, her supervisor, Thomas Dunn, can be reached at 703-308-3318. The official fax number for the organization where this application or proceeding is assigned is 703-305-6078. The unofficial fax number for this examiner is 703-746-3048.

Any inquiry of a general nature relating to the status of this application or proceeding should be directed to the receptionist, whose telephone number is 703-308-0661.

CPC 4/7/2003

TOM DUNN SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 1700